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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

VIESTE, LLC, et al.,

Plaintiffs,

No. C 09-04024 JSW

v.

HILL REDWOOD DEVELOPMENT, LTD.,  
et al.,

Defendants.

**ORDER SETTING BRIEFING  
SCHEDULE REGARDING  
PLAINTIFFS' MOTION TO  
DISMISS AND TO STRIKE**

This matter is set for a hearing on July 2, 2010 on Plaintiffs' motion (1) strike Defendants' affirmative defenses under; (2) dismiss Defendants' counterclaim under; and (3) strike prayer for punitive damages. The Court HEREBY ORDERS that an opposition to the motion shall be filed by no later than May 24, 2010 and a reply brief, if any, shall be filed by no later than June 1, 2010.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

**IT IS SO ORDERED.**

Dated: May 10, 2010

*Jeffrey S. White*  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE